

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

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JUN 10 2019

CLERK, U.S. DISTRICT COURT
WEST. DIST. OF PENNSYLVANIA

Name and address of Plaintiff:

Then Scutella

v.

Full name, title, and business address
of each defendant in this action:

1 Erie County Prison
Amber Chappé Lounsbury

2 Micheal Holman
Deputy Warden Bryant
et al

Use additional sheets, if necessary
Number each defendant.

19-168E

Plaintiff brings this action against the above named and identified defendants on the following cause of action:

- I. Where are you now confined? Erie County Prison
What sentence are you serving? Six months
What court imposed the sentence? Erie County

II. Previous Lawsuits

- A. Describe any and all lawsuits in which you are a plaintiff which deal with the same facts involved in this action. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit

Plaintiffs None with the same facts involved.

Defendants _____

2. Court (if federal court, name the district; if state court, name the county) and docket number

C. Persons involved--name each person and tell what that person did to you: See attached statement of facts

Statement of Facts

On May 1st 2019, the plaintiff was sentenced to six months incarceration to the Erie County Prison. After arriving at the Erie County Prison, the Prison withdrew a fifty dollar housing fee, and ten dollars a day for room and board. On 5-22-2019

I asked for a grievance through the Erie County Prison email system (which should be recorded), I was e-mailed back by counselor Amber Chatte, the response stated, "what do you need a grievance for?"

The plaintiff replied on 5-23-2019 "that being charged ten dollars a day violates my civil liberties specifically the eighth Amendment, cruel and unusual punishment, and also violates the double jeopardy clause."

My second e-mail stated that "I wanted another grievance because grievances were not readily available, I then received a response on both e-mails "closed" following Amber Chatte's response. I was called into the counselors office with Deputy Bryant which I was told that "these issues were not grievable," and that I should find more productive things to do with my time. (Without access to grievance system or grievances I cannot exhaust my remedies.)

- V. Did the incident of which you complain occur in an institution or place of custody in this District?
If so, where?

yes Western District Pennsylvania

and answer the following questions:

- A. Is there a prisoner grievance procedure in this institution?
Yes (☒) No ()
- B. Did you present the facts relating to your complaint in the state prisoner grievance procedure?
Yes (☒) No ()
- C. If your answer is YES,
1. What steps did you take? I emailed the counselor for a grievance which I was denied.
 2. What was the result? nothing
- D. If your answer is NO, explain why not: _____
- E. If there is no prison grievance procedure in the institution, did you complain to prison authorities?
Yes (☒) No ()
- F. If your answer is YES,
1. What steps did you take? _____
 2. What was the result? _____

VI. Relief

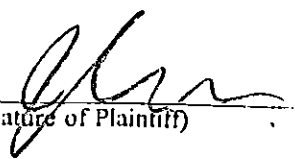
State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

I only seek injunctive relief no monetary damages I would like prison officials to stop violating my civil liberties and stop taking ten dollars a day for room and board and also have a proper grievance system in place.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

submit
Please Exhibit A into the record
As well

6-03-19
(Date)


(Signature of Plaintiff)